

FILED

DEC 28 2016

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY MM DEPUTY

UNITED STATES OF AMERICA)	<u>INFORMATION</u>
)	
v.)	Cause No. P-16-CR-557
)	
MARK WILLIAM REHFIELD)	16 USC 3372(d) and 3373 (d)(3)(A)
)	Mislabel Exports
)	
)	Notice of Government's Demand for
)	Forfeiture

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

[16 U.S.C. §§3372(d), 3373(d)(3)(A) and 18 U.S.C. § 2]

Between on or about December 1, 2013 to on or about July 31, 2015, in the Western District of Texas, and elsewhere, defendant

MARK WILLIAM REHFIELD

aided and abetted by others, did knowingly make and submitted false identification of plants, to-wit: living rock cactus (*Ariocarpus fissuratus*), that were intended to be exported in foreign commerce and involved the sale of such plants in excess of \$350.00.

A violation of Title 16, United States Code, Sections 3372(d), 3373(d)(3)(A) and 18 U.S.C. 2.

Notice of Government's Demand for Forfeiture

[16 U.S.C. §3374, as made applicable by 28 U.S.C. § 2461(c)]

As a result of the foregoing criminal violation set forth in Count One, the United States of America gives notice that it intends to forfeit, but is not limited to, the below-listed property from Defendant Mark William Rehfield. Defendant shall forfeit all right, title, and interest in said property to the United States pursuant to Fed. R. Crim. P. 32.2 and 16 U.S.C. § 3374(a)(1), which is made applicable to criminal forfeiture by 28 U.S.C. § 2461(c). Section 3374 provides in pertinent part:

§ 3374. Forfeiture

(a) In general.

(1) All fish or wildlife or plants imported, exported, transported, sold, received, acquired, or purchased contrary to the provisions of section 3 of this Act ... or any regulation issued pursuant thereto, shall be subject to forfeiture to the United States notwithstanding any culpability requirements for civil penalty assessment or criminal prosecution included in section 4 of this Act.

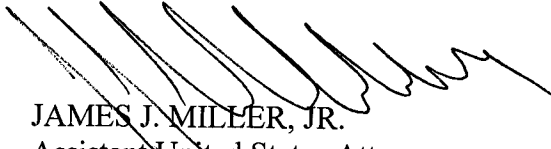
II. Subject Properties

This Notice of Demand for Forfeiture includes, but is not limited, to the following:

- a. Approximately 12 living rock cacti (*Ariocarpus fissuratus*) seized on or about April 19, 2013, at the Chicago O'Hare International Airport in Chicago, Illinois;
- b. Approximately 4 living rock cacti (*Ariocarpus fissuratus*) seized on or about December 10, 2013, at the Ted Stevens Anchorage International Airport in Anchorage, Alaska;
- c. Approximately 6 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 18, 2015, at the Chicago O'Hare International Airport in Chicago, Illinois;
- d. Approximately 15 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 26, 2015, at the Chicago O'Hare International Airport in Chicago, Illinois;
- e. Approximately 7 living rock cacti (*Ariocarpus fissuratus*) seized on or about March 26, 2015, at the Chicago O'Hare International Airport in Chicago, Illinois;
- f. Approximately 549 living rock cacti (*Ariocarpus fissuratus*) seized on or about July 8, 2015, in Spicewood, Texas at the Defendant's residence;

- g. Armscor, .22 caliber pistol, SN: TCM015485;
- h. Makarov, 9 caliber pistol, SN: BA 38 1465;
- i. Taurus, 9 caliber pistol, SN: TGN26095;
- j. Heckler and Koch, 9 caliber pistol, SN: 72292;
- k. FNH USA, 45 caliber pistol, SN: 61DMN08632;
- l. FNH USA, 40 caliber pistol, SN: GKU0073510;
- m. Smith & Wesson, 9 caliber pistol, SN: HAR7200;
- n. GMBH Glock, 10 caliber pistol, SN: VHH224;
- o. Sig Sauer 45 caliber pistol, SN: 54A031081;
- p. Diamondback Arms, .223 caliber pistol, SN: DB-1804419;
- q. Colt, .357 revolver, SN: 78440;
- r. Bushmaster, .308 caliber rifle, SN: BRD010276;
- s. FN Herstal, .57 caliber rifle, SN: FN095188;
- t. Rock River Arms, .556 caliber rifle, SN: KT1171943;
- u. Mossberg, 12 caliber shotgun, SN: U743496;
- v. Remington Arms, .12 caliber shotgun, SN: 100307V;
- w. Underground Tactical Arms Co., .22 caliber rifle, SN: UA000307; and
- x. Any related ammunition and accessories to the firearms.

RICHARD L. DURBIN, JR.
United States Attorney



JAMES J. MILLER, JR.
Assistant United States Attorney